

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

QUINTAN J. KIMBROUGH,

Plaintiff,

vs.

A. HOGAN III, et al.,

Defendants.

8:20CV262

**MEMORANDUM
AND ORDER**

The court is in receipt of correspondence from Plaintiff (Filing 12) which has been docketed as a motion requesting copies of file materials and appointment of counsel. Legal advice is also requested.

The statutory right to proceed in forma pauperis does not include the right to receive copies of documents. 28 U.S.C. § 1915; *see also Haymes v. Smith*, 73 F.R.D. 572, 574 (W.D.N.Y.1976) (“The generally recognized rule is that a court may not authorize the commitment of federal funds to underwrite the necessary expenditures of an indigent civil litigant’s action.”) (citing *Tyler v. Lark*, 472 F.2d 1077, 1078 (8th Cir. 1973)). “Paper and certified copies of electronically filed documents may be purchased from the clerk for a fee collected under 28 U.S.C. § 1914.” NEGenR 1.3(a)(1)(A)(iii).

This action was voluntarily dismissed on September 22, 2020, and the court cannot appoint counsel in anticipation of future litigation. To the extent Plaintiff may be requesting that this case be reopened, he has not demonstrated the existence of any circumstance which would justify such relief.¹ Finally, the court cannot provide

¹ Rule 60(b) allows a party to seek relief from a final judgment, and request reopening of his case, under a limited set of circumstances including fraud, mistake, and newly discovered evidence. *Gonzalez v. Crosby*, 545 U.S. 524, 528 (2005). Rule 60(b)(6) permits reopening when the movant shows “any ... reason justifying relief from the operation of the judgment” other than the more specific circumstances set

legal advice to Plaintiff. *Bernhardt v. Johns*, No. 4:09CV3004, 2009 WL 971443, at *2 (D. Neb. Apr. 8, 2009).

IT IS THEREFORE ORDERED that Plaintiff's motion for miscellaneous relief (Filing 12) is denied in all respects.

Dated this 7th day of October, 2022.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge

out in Rules 60(b)(1)-(5). *Id.*, at 529. Relief under Rule 60 (b)(6) is available only in extraordinary circumstances. *Buck v. Davis*, 137 S. Ct. 759, 777-78 (2017).